

BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
Commonwealth Edison Company,)
) No. 05-0597
Proposed general increase in)
rates for delivery service)
(tariffs filed on August 31,)
2005.).)

Chicago, Illinois
January 19th, 2006

Met pursuant to notice at 1:00 p.m.

BEFORE :

MR. GLENNON DOLAN and MS. KATINA HALOULOS,
Administrative Law Judges.

APPEARANCES:

MR. RICHARD G. BERNET
MS. ANASTASIA POLEK-O'BRIEN
10 South Dearborn Street, Suite 3500
Chicago, Illinois 60603
appearing for Com Ed;

MR. LARRY ROSEN
208 South LaSalle Street, Suite 1760
Chicago, Illinois 60604
appearing for CUB;

FOLEY & LARDNER
MS. CYNTHIA FONNER
321 North Clark Street, Suite 2800
Chicago, Illinois 60610
appearing for Com Ed;

MR. DAVID I. FEIN
550 West Washington Boulevard, Suite 300
Chicago, Illinois 60601
appearing for Constellation New
Energy, Inc.;

1 APPEARANCES (Cont'd)

2 MR. ALLAN GOLDENBERG
Assistant State's Attorney
3 69 West Washington, Suite 3130
Chicago, Illinois 60602
4 appearing for Cook County State's
Attorney's Office;

5
6 EIMER, STAHL, KLEVORN & SOLBERG
MS. RONIT BARRETT
224 South Michigan Avenue, Suite 1100
7 Chicago, Illinois 60604
appearing for Midwest Generation
8 EME, LLC;

9 MS. CHRISTINA PUSEMP
360 North Michigan Avenue
10 Chicago, Illinois 60601
appearing for Building Owners and
11 Managers Association of Chicago;

12 MS. CARLA SCARSELLA
MR. JOHN FEELEY
13 MR. CARMEN FOSCO
MR. SEAN BRADY
14 160 North LaSalle Street, Suite C-800
Chicago, Illinois 60601
15 appearing for Staff;

16 SULLIVAN REPORTING COMPANY, by
Barbara A. Perkovich, CSR
17
18
19
20
21
22

1		<u>I</u> <u>N</u> <u>D</u> <u>E</u> <u>X</u>			
2	<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	Re- <u>direct</u>	Re- <u>cross</u>
3	None				By <u>Examiner</u>
4					
5					
6					
7		<u>E</u> <u>X</u> <u>H</u> <u>I</u> <u>B</u> <u>I</u> <u>T</u> <u>S</u>			
8	<u>Number</u>	<u>For Identification</u>			<u>In Evidence</u>
9	None				
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					

1 JUDGE DOLAN: By the power and authority of the
2 Illinois Commerce Commission, I call Docket
3 No. 05-0597, Commonwealth Edison Company, a
4 proposed general revision of rates, restructuring
5 and price unbundled of bundled service rates and
6 revisions of other terms and conditions of service
7 to order.

8 Would the parties please identify
9 themselves for the record.

10 MR. BERNET: Richard Bernet, Exelon Business
11 Services Company, 10 South Dearborn, Suite 3500,
12 Chicago, 60603 on behalf of petitioner Commonwealth
13 Edison Company.

14 MS. FONNER: Cynthia Fonner, Foley and Lardner,
15 LLP, 321 North Clark Street, Suite 2100, Chicago,
16 Illinois 60601 on behalf of the.

17 MS. POLEK-O'BRIEN: Anastasia Polek-O'Brien,
18 Exelon BSC, 10 South Dearborn, Chicago 60603 also
19 for Com Ed.

20 MR. FEELEY: Representing staff of the Illinois
21 Commerce Commission, John Feeley, Carmen Fosco,
22 Carla Scarsella and Sean Brady of the Commerce

1 Commission, Office of General Counsel.

2 MR. REDDICK: Your Honor, on the appellate
3 motion, Eric Robertson and Conrad R. Reddick for
4 Citizens of Illinois Industrial Energy Consumers.

5 MR. GOLDENBERG: On behalf of the Cook County
6 State's Attorney's Office, Alan Goldenberg, 69 West
7 Washington Street, Suite 3130, Chicago,
8 Illinois 60602.

9 MR. ROSEN: Larry Rosen on behalf of the Citizens
10 Utility Board. Do you want the address, do you
11 need it?

12 MS. PUSEMP: Christina Pusemp on behalf of the
13 Building Owners and Management Association of
14 Chicago, 60 North Michigan Avenue, Chicago,
15 Illinois 60601.

16 MS. BARRETT: Ronit Barrett, Eimer, Stahl,
17 Klevorn and Solberg, on behalf of Midwest
18 Generation EME, LLC, 224 South Michigan Avenue,
19 Suite 1100 Chicago, Illinois 60604.

20 MR. FEIN: David Fein on behalf of the
21 Constellation New Energy, Inc., 550 West Washington
22 Boulevard, Suite 300, Chicago 60661.

1 JUDGE DOLAN: Is there anyone else on the
2 telephone or hook up? Let the record reflect no
3 other appearances for today. We just had a couple
4 of matters that we were discussing. I think first
5 and foremost, notwithstanding the case management
6 order, we need the parties to provide the ALJ's
7 with written copies of just the pleadings, any
8 formal filings or any prefiled testimony.

9 With everything coming in, especially
10 with all of the, you know, data requests that are
11 getting sent to everybody, we're not 100 percent
12 sure that we're getting everything that we need to
13 get. So I just want to make sure that, especially
14 with the prefiled testimony, I think that CUB
15 actually did some revisions on some of their
16 documents, so we just want to make sure that we do
17 have a paper copy of that kind of document.

18 You know, obviously, you don't need to
19 send paper copies of data requests or anything
20 else, but we would like those documents.

21 MR. BERNET: Would you like more than one copy?

22 JUDGE DOLAN: One for each one of us I think is

1 sufficient. So I think that will be fine. And
2 then the other thing that we were discussing is
3 that we're going to send out a request for pretrial
4 memorandums. I think any of you that participated
5 in the Nicor rate case, it's going to be very
6 similar to that document. Just so we have an idea
7 of where the issues are, what's agreed upon, what
8 is disputed so we can kind of line everything up.

9 We are going to try to, again, do
10 similar to what they did in the Nicor rate case,
11 and list the issues as we see them, and then try to
12 have, you know, everything kind of plug in
13 together. That way -- so try to help everybody and
14 try to get this run as smoothly as possible.

15 Above and beyond that, I think the only
16 other thing is we do have possibly a couple of
17 petitions to intervene that were not previously
18 ruled upon. And according to the list we're
19 showing the Illinois Industrial Energy Consumers,
20 Caswell Products, Chicago Transit Authority,
21 Illinois Association of Waste Water Agencies and
22 the Coalition of Energy Suppliers. Is anybody else

1 aware of anybody that we're missing off of
2 petitioners to intervene? So we're going to grant
3 all those petitions to intervene.

4 Obviously anybody that is becoming a
5 part of the docket at this point has to abide by
6 the schedule that was previously set. Is there
7 anything that anybody has to bring before us today?
8 Okay. Well, at least it wasn't a terrible day that
9 everybody had to walk over. So I apologize.

10 How is everybody feeling? Do you feel
11 that we need to set something in February? I know
12 we had indicated that we should set something once
13 a month. I figure that March we already have our
14 pretrial set up for March 17th, as a matter of
15 fact. So we can set something up in February. We
16 could do, do you think later in the month, like
17 February 23rd, how does that look for everybody?

18 MR. BERNET: Maybe a little earlier?

19 JUDGE DOLAN: Okay. Going that week before, I
20 know that some people may be going to NARUC the day
21 before, which I think is through the 16th; is that
22 right, David or through the 15th?

1 MR. FEIN: I think through the 15th.

2 JUDGE DOLAN: Are you thinking that --

3 MR. BERNET: Maybe the week of the 7th or 6th?

4 JUDGE DOLAN: How does the 9th look?

5 MR. BERNET: Can we do it in the morning on the

6 9th?

7 JUDGE DOLAN: Are you guys okay with the 9th?

8 MR. FEELEY: Um-hmm.

9 JUDGE DOLAN: I have no problem doing it at 10:00

10 o'clock.

11 MR. BERNET: Right.

12 JUDGE DOLAN: Okay. Then if there is nothing

13 else to be brought before us today, then we will be

14 entered and continued to February 9th at 10:00 a.m.

15 Thank you all.

16 (Whereupon, the above entitled

17 matter was continued to February

18 9th, 2006 at 10:00 o'clock a.m.)

19

20

21

22